REMARKS

Applicants affirm the election made with traverse to prosecute the species of claims 42 (jet milling) and 46 (sodium hydroxide, potassium hydroxide, and combinations thereof). Accordingly, claims 43 and 47 have been withdrawn. Claims 35-42, 44-46, and 48-51 are now pending.

Claim 35 has been amended to require de-agglomerating the coated metal nano-powder. Support for this amendment is found, for example, on p. 3 of the specification.

Claims 35-36, 38, 41, 44-45, 48, and 50-53 stand rejected under 35 U.S.C. § 102(b)/§ 103 over Lin, U.S. 4,668,355 ("Lin"). Claims 37 and 40 stand rejected under 35 U.S.C. § 103 over Lin. Claims 42, 46, and 49 stand rejected under 35 U.S.C. § 103 over Lin in view of Khasin, U.S. 5,476,535 ("Khasin"). Claims 41-42 and 50 stand rejected under 35 U.S.C. § 103 over Lin in view of Yadav et al., US 2004/0262435 ("Yadav"). Applicants request the Examiner to reconsider and withdraw these rejections.

Each of the pending claims recites a process for producing a metal nano-powder that includes, *inter alia*, leaching a metal alloy to form a metal nano-powder; coating the metal nano-powder; and de-agglomerating the coated metal nano-powder. None of the cited references, alone or in combination, describes or suggests this particular process. Lin, the primary reference upon which all the outstanding rejections are based, describes a process for extracting magnetic particles from a surrounding matrix that involves treating the matrix with an aqueous solution (e.g., an aqueous citrate or ammonia solution). The solution forms a passivating layer about the particles. However, nowhere does Lin describe de-agglomerating the particles following treatment with the aqueous solution.

Khasin likewise fails to describe de-agglomerating coated particles. Khasin describes subjecting metal particles to ultrasonic oscillations during the leaching step in order to improve penetration of the leaching agent into the particles. Khasin does not coat the leached particles, nor does Khasin de-agglomerate particles after leaching. Although Yadav describes de-agglomerating nanopowders, the powders are produced by processes that are substantially different from both the claimed process and from the process described in Lin (the primary

reference). Therefore, there would be no reason to combine Yadav's de-agglomeration protocol with Lin, particularly where Lin's particles apparently do not exhibit the agglomeration problem that Yadav addresses.

Because none of the cited references, alone or in combination, describes or suggests the claimed process, the outstanding rejections should be withdrawn, and a notice of allowance issued.

Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

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